

LETTERS

Concerning Graduates of Foreign Medical Schools.

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AMERICAN MEDICAL ASSOCIATION
BUREAU OF LEGAL MEDICINE AND LEGISLATION
J. W. HOLLOWAY, JR., ACTING DIRECTOR

Chicago, May 13, 1941.

Hon. John F. Shelley,
California Legislature,
State Capitol,
Sacramento, California.

My dear Senator Shelley:

During the absence of Doctor Fishbein, the editor of *The Journal of the American Medical Association*, your letter of May 2 has been referred to me for reply, concerning Assembly Bill 1475 to amend the Business and Professions Code for the purpose of imposing certain requirements on applicants for licenses to practice medicine in California who are graduates of foreign medical schools other than Canadian schools.

This bill requires such an applicant to submit documentary evidence, satisfactory to the Board of Medical Examiners, that (1) he has completed a resident course of professional instruction in an approved medical school or schools equivalent to that required for a physician and surgeon applicant; (2) he has had issued to him by such approved medical school, subsequent to the completion of the resident course, a medical diploma; (3) he has been admitted or licensed to practice medicine in the country wherein his professional instruction was obtained; (4) he has completed either the senior or fourth or final year in an approved medical school in the United States, or in lieu thereof documentary evidence that he has served at least one year in residence in a hospital located in the United States and approved by the board for training of interns; and (5) if the applicant is not a citizen of the United States, documentary evidence that the country in which he has been licensed to practice medicine will admit to practice therein citizens of the United States upon proof of prior admission to practice medicine in some state of the United States or "upon proof of matters similar to those required in this section for graduates of foreign medical schools."

In your letter you asked if the American Medical Association has taken any position either in approval or disapproval of this legislation. As directed toward the particular California bill, it has not. In 1936, however, the House of Delegates of the American Medical Association at its Kansas City meeting adopted the following resolution concerning graduates of medical schools of foreign countries:

WHEREAS, Through the initiation, support, and watchfulness of organized medicine, standards of medical education and medical practice have rapidly and continuously advanced; and

WHEREAS, There is a serious danger of this most satisfactory state of progress being undermined, and weakened by the registration to practice of graduates of medical schools of foreign countries; and

WHEREAS, There are at the present time more than 1,500 American students attending medical schools in foreign countries, many of them not having satisfactory credentials for admission to American medical schools; and

WHEREAS, There is in the files of the Council on Medical Education and Hospitals of the American Medical Association, and the Federation of State Medical Boards, evidence that many of the foreign medical schools do not con-

sistently maintain and enforce the same high standards as are maintained in the medical schools of the United States; therefore, be it

Resolved, That each applicant for medical license in the United States, in order to adjust this inequality and to show a knowledge of acceptable medical practice, should be required before being admitted to a written examination before a properly constituted examining board to hold a license to practice in the country of his graduation and a certificate that he has completed a year's work as an intern in a hospital approved for internship training or should complete the fourth year in an American Class A medical college; and be it further

Resolved, That the House of Delegates of the American Medical Association approve the foregoing and that a copy be sent to the properly constituted officers of each examining board of the United States and to the Federation of State Medical Boards, with the request that they consider seriously urgent need for the adoption of such rules and/or legislation necessary to put the purposes of these resolutions into effect.

While this Association has not considered the pending California bill, the bill does obviously propose to put into effect legislatively the recommendations contained in the resolutions adopted by the House of Delegates in 1936.

Personally, I do not believe that this bill has been prompted by any desire to discriminate against the graduates of foreign medical schools. It represents an attempt to protect the people of the State against the ministrations of incompetent practitioners who have received their medical instruction under circumstances that make it impossible for the Board of Medical Examiners to appraise the quality of that instruction. With respect to medical schools conducted in the United States and in Canada, the Board of Medical Examiners has means by which it can determine if the instruction given in such schools is of a sufficiently high quality to assure that graduates are fundamentally trained in the healing art. With respect to medical schools conducted elsewhere, the Board has no such means and hence in order to preclude the licensure of those who are poorly equipped to treat the sick, legislation along the lines of the pending bill would seem to be necessary.

As you may know, during the last decade graduates of foreign medical schools have been emigrating to the United States in ever-increasing numbers. I take it that there is no disposition anywhere to throw any obstacles in the way of such of these graduates who are able to convince the licensing authorities that they are adequately qualified. It is for the purpose of enabling the Board of Medical Examiners in California to make sure that such of these graduates as desire to practice in California are competent that the pending bill under discussion has been sponsored.

535 North Dearborn Street.

Yours truly,
J. W. HOLLOWAY, JR.

Concerning a Point in Medical Defense.*

"While I am very glad that this case did not come to trial, I was particularly interested in the charge upon which it was based, *i. e.*, that I had not been frank in revealing to a patient the diagnosis of carcinoma and that my concealment of this fact from the patient had resulted in damages to his fortune, which he tried to collect from me.

"My attorneys told me that this particular point had not been tried in law before and have warned me of the necessity of having any relatives who instruct not to tell the patient that he has cancer, on their responsibility—to have such parties sign a release in which they accept the moral and financial responsibility of such a deception."

* Excerpt from a personal letter received from a member of the California Medical Association.

"A health commissioner is a John the Baptist, who recognizes that his only mission is to prepare the way for a greater than himself."—Anon.

† CALIFORNIA AND WESTERN MEDICINE does not hold itself responsible for views expressed in articles or letters when signed by the author.